

GOVERNOR'S ADVISORY COUNCIL ON PLANNING COORDINATION

MINUTES – MEETING OF SEPTEMBER 6, 2001

The Governor's Advisory Council on Planning Coordination held a meeting on Thursday, September 6, 2001 at the Governor's Club, Kings Highway, Dover, Delaware.

Present were:

Lt. Governor John C. Carney, Jr., Chair
Senator Patricia Blevins
Lee Ann Walling
Secretary Nathan Hayward, III
Secretary Nicholas DiPasquale
Secretary Michael Scuse
Jack Tarburton, representing Director John Wik
Robert Stickels
Sherry Freebery
Mike McDowell
Richard Anthony
Martin Ross
Rick Woodin
Robert McLeod
Peg Baunchalk
Joseph Corrado, Jr.
Dee Durham
Mike Zimmerman
Bill Montgomery, representing Richard V. Pryor

Others in attendance:

Andrea Kreiner
Connie Holland
Terry Pepper
Scott Kidner
Phyllis McKinley
Charles Baker
Doug Gramiak
Merritt Wallick

Absent:

Representative Roger Roy

CALL TO ORDER

Lt. Governor Carney called the meeting to order at 12:30 p.m. The Lt. Governor presented welcoming remarks and each committee member introduced him/her self. The Council members indicated the areas they represent by their positions on the Council.

REVIEW OF THE ADVISORY COUNCIL'S CHARGE

Ms. Walling presented an overview of the Council's charge as mandated in Senate Bill Number 105. The legislation provides for a twenty (20) member council to serve in the capacity of an advisory role to the Governor and shall be chaired by the Lt. Governor. The charges of the council will be to provide input from stakeholder groups for implementing Livable Delaware, including impact fees – HB 235, transfer of development rights (after legislation is passed), review agency implementation plans under Executive Order Number 14 and provides recommendations to the Governor, develops dispute resolution process to handle disagreements among jurisdictions regarding annexations and to address inconsistencies with state goals and strategies, review and prepare comment on future Livable Delaware legislation and develop and monitor Livability Indicators.

In addition, Ms. Walling presented an update of activities since the end of the legislative session. Those activities included the hiring of Connie Holland as the State Planning Director, Dave Hugg joining the University of Delaware's Institute for Public Administration, rethinking the mission, goals and structure of the State Planning Office as well as the Cabinet Committee on State Planning Issues, and reclassifying vacant positions loaned from other agencies to ensure that the Office of State Planning has the resources to work with counties, towns, developers and others. In accordance with Senate Bill 105 the Governor has named members of the Advisory Council on Planning Coordination and at the first meeting on September 6, 2001 working subcommittees will be created. The Office of State Planning is developing a straightforward explanation of House Bill 255's requirements and timelines and preparing to take such on the road. Livable Delaware funds will soon be available to help local governments achieve compliance. The RFP has been developed and will be presented at the Council's meeting for approval. The RFP will be issued immediately following Council's approval to twenty-four (24) firms plus issuance by public notice. The "Graduated" impact fees concept achieves national recognition as a unique approach. A Livable Delaware "summit" has been planned for Saturday, November 17th at Capitol Theater in Dover. The goal of the summit is to improve understanding among various interest groups of Transfer of Development Rights and related issues. Senate Bill 228 will be stricken and a new bill based on feedback from the summit will be developed before January. All agencies have submitted Livable Delaware implementation plans in response to Executive Order Number 14. The Governor has been named vice chair of the National Governors Association's Natural Resources and will pursue livability initiatives at the national level.

Secretary DiPasquale will keep the Council apprised of any advancement with House Resolution 31 concerning the scope of impact assessments.

COMMITTEES

The Council agreed the first priority of their charge is to develop a proposal on Impact Fees to be submitted to the Bond Bill Committee by January 15, 2002. Lt. Governor Carney requested anyone present who had an interest in serving on the Impact Fees Committee to contact Andrea Kreiner. He suggested that Council members recommend individuals to serve on the committees from areas other than the Council membership. Lt. Governor Carney reiterated the Council's charges are going to be time consuming and difficult with many issues occurring at the same time and assistance from outside the membership will be greatly appreciated. The following individuals indicated an interest in serving on the Impact Fee Committee: Joe Corrado, Mike McDowell, Jack Tarburton, Phyllis McKinley, Rich Anthony, Rick Woodin, Robert McLeod, Robert Stickels and Michael Zimmerman.

Membership of the committees on Annexations, Dispute Resolution Infill and Redevelopment, Affordable Housing, Transfer of Development Rights, Green Infrastructure, Community Design and Livability Indicators will be discussed at the next meeting of the Council.

The State Planning Office will assemble a list of existing impact fees.

ADMINISTRATIVE ISSUES

Lt. Governor Carney will conduct issues before the Council on a consensus basis utilizing majority vote only when necessary. Proxies will not be voting members at the meetings of the Council.

The State Planning Office will staff the Council. Andrea Kreiner and Connie Holland can be points of contact on specific issues regarding the charges of the Council. Lt. Governor Carney remains available for contact regarding philosophical issues.

Minutes of the meetings will be circulated to Council and Committee members. A list of e-mail addresses will be forwarded to all parties. Meetings of the Council will be held on a monthly basis. Suggested dates for the next meeting were October 5th or the 11th. It was suggested that the meetings could be held at the Governor's Club, the Tatnall Building or Del Tech. All meetings of the Council and Subcommittees will be posted in accordance with law.

Ms. Kreiner will check the language on the RFP with legal counsel prior to mailing. The deadline for submission of responses is set for September 27th. The awardee will be notified on October 15th. The subcommittee will need to meet prior to October 15th.

The consensus of the Council was that a separate subcommittee be appointed at a later date to address the question of fiscal responsibility and not combine the issue under the impact fee subcommittee.

The implementation plans received from the agencies will be reviewed by Ms. Kreiner and Ms. Holland. Summaries of the plans will be submitted to the Council for review. Exceptional situations will come before full Council review.

ADJOURNMENT

The Council adjourned at 2:50 p.m.

Respectfully submitted:

Rosemarie S. Vanderhoogt
Office Manager